

06-20-2001



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SHEET

JUN 14 2001

TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

## Submission Type

- ☒ New
- ☐ Resubmission (Non-Recordation)  
Document ID #
- ☐ Correction of PTO Error  
Reel #  Frame #
- ☐ Corrective Document  
Reel #  Frame #

## Conveyance Type

- ☐ Assignment ☐ License
- ☐ Security Agreement ☐ Nunc Pro Tunc Assignment
- ☒ Merger  
Effective Date  
Month Day Year
- ☐ Change of Name
- ☐ Other

## Conveying Party

☐ Mark if additional names of conveying parties attachedExecution Date  
Month Day Year

April 12, 2001

Name Formerly 

- ☐ Individual ☐ General Partnership ☐ Limited Partnership ☒ Corporation ☐ Association
- ☐ Other
- ☒ Citizenship/State of Incorporation/Organization

## Receiving Party

☐ Mark if additional names of receiving parties attachedName DBA/AKA/TA Composed of Address (line 1) Address (line 2) Address (line 3) 

Ohio

State/Country

44114

Zip Code

- ☐ Individual ☐ General Partnership ☐ Limited Partnership ☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)
- ☒ Corporation ☐ Association
- ☐ Other
- ☒ Citizenship/State of Incorporation/Organization

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06/10/2001 LMUELLER 00000050 0028307

01 FD:481  
02 FD:48240.00 DP  
125.00 DP

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Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington D.C. 20231

TRADEMARK

REEL: 002316 FRAME: 0521

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Correspondent Name and Address**

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments.

#

**Trademark Application Number(s) or Registration Number(s)**

☐ Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

**Trademark Application Number(s)**

<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

**Registration Number(s)**

<input type="text" value="2028307"/>	<input type="text" value="2088556"/>	<input type="text" value="2080590"/>
<input type="text" value="2028305"/>	<input type="text" value="1161244"/>	<input type="text" value="2085242"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

**Number of Properties**

Enter the total number of properties involved.

#

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$

Method of Payment:

Enclosed ☒

Deposit Account ☒

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

Authorization to charge additional fees:

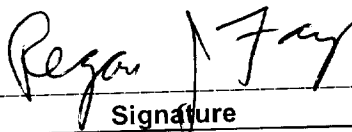
Yes ☒ No ☐

**Statement and Signature**

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Regan J. Fay

Name of Person Signing



Signature

6-11-01

Date Signed

State of Delaware  
Office of the Secretary of State

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PAGE 1

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"OGLEBAY NORTON COMPANY", A DELAWARE CORPORATION,

WITH AND INTO "ON MINERALS COMPANY, INC." UNDER THE NAME OF "OGLEBAY NORTON COMPANY", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF OHIO, AS RECEIVED AND FILED IN THIS OFFICE THE THIRTIETH DAY OF APRIL, A.D. 2001, AT 1:30 O'CLOCK P.M.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

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AUTHENTICATION: 1128680

DATE: 05-11-01

TRADEMARK  
REEL: 002316 FRAME: 0523

CERTIFICATE OF MERGER  
MERGING  
OGLEBAY NORTON COMPANY,  
A DELAWARE CORPORATION,  
WITH AND INTO  
ON MINERALS COMPANY, INC.,  
AN OHIO CORPORATION

ON MINERALS COMPANY, INC., a corporation organized and existing under the laws of the State of Ohio, does hereby certify as follows.

FIRST: The name and state of incorporation of each of the constituent corporations of the merger are as follows.

<u>Name</u>	<u>State of Incorporation</u>
Oglebay Norton Company ("Oglebay Norton")	Delaware
ON Minerals Company, Inc. ("ON Minerals")	Ohio

SECOND: An Agreement and Plan of Merger among the constituent corporations has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations in accordance with Section 252(c) of the Delaware General Corporation Law.

THIRD: The surviving corporation of the merger shall be ON Minerals, the name of which shall be changed to Oglebay Norton Company following the merger.

FOURTH: The amended and restated Articles of Incorporation of ON Minerals shall be the Articles of Incorporation of the surviving corporation, except that the first section of the restated and amended Articles of Incorporation of the surviving corporation shall be amended to read as follows.

"FIRST. The name of the Corporation is 'Oglebay Norton Company'."

FIFTH: The executed Agreement and Plan of Merger is on file at the principal place of business of ON Minerals, the surviving corporation in the merger, the address of which is as follows.


ON Minerals Company, Inc.  
c/o Oglebay Norton Company  
1100 Superior Avenue  
21<sup>st</sup> Floor  
Cleveland, Ohio 44114-2598

SIXTH: A copy of the Agreement and Plan of Merger will be furnished by ON Minerals, upon request and without cost, to any stockholder or shareholder of any of the constituent corporations.

SEVENTH: ON Minerals agrees that it may be served with process in the State of Delaware in any proceeding for enforcement of any obligation of the constituent corporation of the State of Delaware, as well as for enforcement of any obligation of the surviving corporation arising from the merger, including any suit or other proceeding to enforce the right of any stockholders or shareholders as determined in appraisal proceedings pursuant to section 262 of the Delaware General Corporation Law, and ON Minerals hereby irrevocably appoints the Secretary of State as its agent to accept service of process in any such suit or other proceeding. The address at which a copy of such process shall be mailed to ON Minerals by the Secretary of State is as follows.

Oglebay Norton Company  
1100 Superior Avenue  
21<sup>st</sup> Floor  
Cleveland, Ohio 44114-2598  
Attn: Chief Executive Officer

IN WITNESS WHEREOF, ON Minerals has caused this Certificate of Merger to be signed by Rochelle F. Walk, its authorized officer, this 30<sup>th</sup> day of April, 2001.

  
\_\_\_\_\_  
By: Rochelle F. Walk  
Title: Vice President and Secretary

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